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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Examiner: Johnson, Jonathon J.****Docket: NI 161- U&S****Applicant(s): Christoph Schilling****Serial No.: 10/762050****In Response to Paper No. 20070404****Filing Date: 16/01/04****Art Unit: 1725**

**Title: METHOD AND APPARATUS FOR JOINING AT LEAST TWO  
WORKPIECES BY FRICTION STIR WELDING**

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**Commissioner for Patents  
Alexandria, VA 22313-1450  
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**June 29, 2007****SIR:****RESPONSE TO FINAL REJECTION**

This is in response to the Official Action dated 04/09/07, which was made final by the Examiner.

The Examiner has rejected claims 1 - 8 and 10 under 35 USC § 102 as being anticipated by Nishihara (JPN 2002 256453). The Examiner states that Nishihara teaches a friction stir welding method. This however is not correct.

Not even the inventor Nishihara Akira considers his method to be a friction stir welding method. Rather, he calls it "a friction stir forming method".